

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HUBER ENGINEERED WOODS LLC,

Plaintiff,

v.

LOUISIANA-PACIFIC CORPORATION,

Defendant.

C.A. No. 19-342-GBW-SRF

MEMORANDUM ORDER

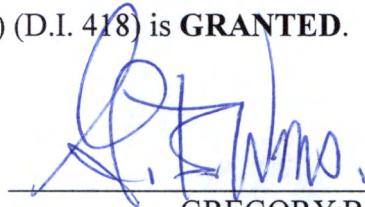
At Wilmington, Delaware this 12th day of December, 2022.

WHEREAS, on November 17, 2022, Magistrate Judge Fallon issued a Report and Recommendation (D.I. 492) recommending the Court: (1) deny Plaintiff Huber Engineered Woods LLC’s (“HEW”) Motion to Dismiss Defendant Louisiana-Pacific Corporation’s (“LP”) new inequitable conduct counterclaims pursuant to Fed. R. Civ. P. 12(b)(6) (D.I. 301); (2) deny HEW’s Motion to Strike Certain Defenses and Counterclaims (D.I. 303); (3) deny HEW’s Motion to Strike Certain Initial Invalidity Contentions and Prior Art References (D.I. 328); (4) deny HEW’s Motion to Strike Certain Final Invalidity Contentions and Prior Art References (D.I. 448); (5) deny LP’s Motion to Strike Untimely Infringement Contentions (D.I. 399); and (6) grant HEW’s Cross-Motion to Supplement its Amended Complaint pursuant to Fed. R. Civ. P. 15(d) (D.I. 418); and

WHEREAS, no party filed objections to the Report and Recommendation pursuant to Rule 72(b)(2) of the Federal Rules of Civil Procedure in the prescribed period, and the Court finds no clear error on the face of the record.

THEREFORE, IT IS HEREBY ORDERED that the November 17, 2022 Report and Recommendation is **ADOPTED**. IT IS FURTHER ORDERED that:

1. Plaintiff Huber Engineered Woods LLC's Motion to Dismiss Defendant Louisiana-Pacific Corporation's new inequitable conduct counterclaims pursuant to Fed. R. Civ. P. 12(b)(6) (D.I. 301) is **DENIED**;
2. Plaintiff Huber Engineered Woods LLC's Motion to Strike Certain Defenses and Counterclaims (D.I. 303) is **DENIED**;
3. Plaintiff Huber Engineered Woods LLC's Motion to Strike Certain Initial Invalidity Contentions and Prior Art References (D.I. 328) is **DENIED**;
4. Plaintiff Huber Engineered Woods LLC's Motion to Strike Certain Final Invalidity Contentions and Prior Art References (D.I. 448) is **DENIED**;
5. Defendant Louisiana-Pacific Corporation's Motion to Strike Untimely Infringement Contentions (D.I. 399) is **DENIED**; and
6. Plaintiff Huber Engineered Woods LLC's Cross-Motion to Supplement its Amended Complaint pursuant to Fed. R. Civ. P. 15(d) (D.I. 418) is **GRANTED**.



GREGORY B. WILLIAMS
U.S. DISTRICT JUDGE